

1 BEFORE THE BOARD OF OSTEOPATHIC EXAMINERS
2 FOR THE STATE OF ARIZONA
3

4
5 IN THE MATTER OF)
6 Gordon Josephs, D.O.)
7 Holder of License No. 1272)
8 In and for the State of Arizona)
9 STIPULATION FOR FINDINGS OF
10 FACT, CONCLUSIONS OF LAW AND
11 CONSENT ORDER

12 By mutual agreement and understanding, the Board of
13 Osteopathic Examiners ("Board") and Gordon Harvey Josephs, D.O.
14 (hereinafter "Respondent"), the parties hereto agree to the
15 following disposition of this matter.

16 1. Respondent acknowledges that he has read this
17 Stipulation and the attached Consent Order; and, he is aware of
18 and understands the content of these documents.

19 2. Respondent understands that by entering into this
20 Stipulation he voluntarily relinquishes any rights to receive a
21 formal Board complaint, notice of hearing and to a hearing or
22 judicial review on the matters alleged as grounds for disciplinary
23 action. But for this stipulation the Board would issue a formal
24 complaint based upon the stipulated findings of fact and
25 conclusions of law.

26 3. Respondent acknowledges his understanding that this
 Consent Order and Stipulation will not become effective until
 approved by this Board and signed by its Executive Director.

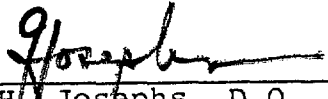
 4. Respondent further understands that this Stipulation
 and Consent Order, once approved and signed, shall constitute a

1 public record which may be disseminated as a formal disciplinary
2 action of the Board.


3 5. Respondent admits to the facts solely for the
4 purpose of the disposition of the Board's proceedings and consents
5 to all the terms contained in the Consent Order.

6 IT IS HEREBY STIPULATED AND AGREED that this Consent
7 Order shall be in full force and effect ten (10) days from the
8 date of mailing to Respondent's address of record with the Board.

9 DATED this 23rd day of June, 1992.

10
11 
12 Gordon H. Josephs, D.O.


13 Reviewed and approved at to form
14 by legal counsel for Respondent:

15 
16 Kraig J. Marton
17 Attorney at Law

18 Date: 6/23/92

19 ENTERED this 24th day of June, 1992.

20 BOARD OF OSTEOPATHIC EXAMINERS

21
22 By: 
23 Robert J. Miller, Ph.D.
24 Executive Director
25
26

1 BEFORE THE BOARD OF OSTEOPATHIC EXAMINERS
2 FOR THE STATE OF ARIZONA
3

4
5 IN THE MATTER OF)
6 Gordon Josephs, D.O.)
7 Holder of License No. 1272)
8 In and for the State of Arizona)
9

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND CONSENT ORDER

10 Pursuant to stipulation between the Board of Osteopathic
11 Examiners ("Board") and Gordon Harvey Josephs, D.O. (hereinafter
12 "Respondent"), the parties agree to the entry of the following
13 Findings of Fact, Conclusions of Law and Order.

14 FINDINGS OF FACT

15 1. The Board of Osteopathic Examiners ("Board") is the
16 duly constituted authority for the regulation and control for the
17 practice of osteopathic medicine in the State of Arizona.

18 2. Gordon Harvey Josephs, D.O., is the holder of
19 License No. 1272 for the practice of medicine in the State of
20 Arizona.

21 3. On April 4, 1992, the Board conducted an informal
22 interview hearing with Respondent, who was represented by
23 counsel. The aforementioned proceeding was conducted pursuant to
24 the authority vested in the Board by A.R.S. § 32-1855(E). The
25 informal interview was concerned with investigating allegations of
26 unprofessional conduct contained in Board Complaint File No.
1376. Based upon the information presented at the informal

1 interview, the Board voted to issue a formal Board complaint and
2 notice of hearing pursuant to A.R.S. § 32-1855(F).

3 4. On April 16, 1992, the Board conducted a public
4 meeting and again considered the facts and allegations concerning
5 Respondent that arose out of Board Complaint File No. 1376.
6 Pursuant to the authority granted to the Board by A.R.S.
7 § 32-1855(B), the Board concluded that there was sufficient
8 evidence before the Board to justify further investigation of
9 Respondent's professional knowledge and competence to practice
10 osteopathic medicine; and, therefore the Board ordered Respondent
11 to take a medical competency examination, i.e., Special Purpose
12 Examination, on June 18, 1992. Respondent was duly notified of
13 the Board's Order by letter dated April 29, 1992, that was
14 addressed to Respondent's address of record with the Board and to
15 his attorney of record.

16 5. Respondent refused to take the Special Purpose
17 Examination on June 18, 1992, as ordered by the Board.

18 6. The Board's formal complaint concerning Board
19 Complaint File No. 1376 has not yet issued as of the date of these
20 Findings of Fact, Conclusions of Law and Order. The Board does
21 not make any express findings of fact regarding the issue of
22 unprofessional conduct concerning the allegations arising out of
23 Board Complaint File No. 1376.

24 CONCLUSIONS OF LAW

25 1. The Board of Osteopathic Examiners has jurisdiction
26 to assert its statutory authority in the pending matter.

1 2. Respondent's refusal to comply with a lawful Board
2 Order to take a medical competence examination constitutes
3 unprofessional conduct, as defined by A.R.S. § 32-1854(26), i.e.,
4 violation of a formal board order.

5 ORDER

6 IT IS HEREBY ORDERED that the license of Gordon Harvey
7 Josephs, D.O., to practice osteopathic medicine in the State of
8 Arizona is hereby revoked for unprofessional conduct. Further-
9 more, in the event that Respondent applies for a new license from
10 the Board, the Board shall not be precluded from considering the
11 allegations of unprofessional conduct set forth in Board Compliant
12 No. 1376 in order to make a determination as to the propriety of
13 issuing a new license to Respondent.

14 DATED this 24th day of June, 1992.

15
16 BOARD OF OSTEOPATHIC EXAMINERS

17 Robert J. Miller
18 Robert J. Miller, Ph.D.
19 Executive Director

20 COPY of the foregoing mailed
21 this 25th day of June, 1992, to:

22 Gordon Josephs, D.O.
23 7315 E. Evans
24 Scottsdale, Arizona 85260
25
26

1 Kraig J. Marton
2 Attorney at Law
3 817 N. 2nd Street
4 Phoenix, Arizona 85004
5 Attorney for Respondent
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26 5409a.81